

Message Text

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ACTION L-03

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C O N F I D E N T I A L SAN JOSE 3612

C O R R E C T E D C O P Y - T E X T (T H R O U G H O U T)

E.O. 11652: GDS
TAGS: PGOV, PINT, CS
SUBJ: REJECTION OF VESCO COSTA RICAN CITIZENSHIP BID

REF: SAN JOSE 3562 (NOTAL)

1. THE SUPREME ELECTORAL TRIBUNAL (TSE) DECISION 21 AUGUST TO CONFIRM THE EARLIER CIVIL REGISTRY REJECTION OF ROBERT VESCO'S BID FOR COSTA RICAN CITIZENSHIP HAS NOW BECOME PUBLIC. THE ACTUAL RESOLUTION (VOTED UNANIMOUSLY) IS STILL BEING PREPARED AND SHOULD BE ISSUED SHORTLY.

2. PRESIDENT NARAZO (WHO ONLY THE WEEK BEFORE HAD TAKEN THE UNUSUAL STEP OF OPENLY URGING THE TSE TO TAKE THIS ACTION) ISSUED A STRONG STATEMENT APPLAUDING THE DECISION. HE NOTED THAT THIS WOULD SERVE TO BRIGHTEN COSTA RICA'S INTERNATIONAL REPUTATION, SULLIED IN RECENT YEARS BY THE PRESENCE OF VESCO IN THE COUNTRY. THE STATEMENT, BY PRESIDENTIAL ORDER, IS BEING DISTRIBUTED WORLDWIDE BY COSTA RICAN EMBASSIES. (WE RECEIVED A COPY, UNDER COVER OF A FOREIGN OFFICE NOTE, ON THE 23RD.)

3. IS THIS THE END OF THE "VESCO AFFAIR" IN COSTA RICA? THAT SEEMS
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TO BE THE CONSENSUS HERE; COSTA RICA'S LARGEST DAILY, LA NACION, PRAISED THE DECISION (AND THE CARAZO ADMINISTRATION'S ANTI-VESCO STANCE) IN AN EDITORIAL ENTITLED "PUNTO FINAL AL AFER VESCO" (SIC). AND THE TONE OF CARAZO'S PRONOUNCEMENT WAS CERTAINLY THAT OF A CURTAIN CLOSER. DECISIONS OF THE TSE HAVE TRADITIONALLY BEEN CONSIDERED NOT RPT NOT APPEALABLE. BUT VESCO'S LAWYER, JOSE MARIA PLA, FOR ONE, IS NOT QUITE SO SURE. HE HAS INDICATED THAT THE TSE

DECISION WILL BE TAKEN BEFORE A CURIOUS PART OF THE COSTA RICAN JUDICIAL SYSTEM, THE COURT OF ADMINISTRATIVE DISPUTSU (CONTENCIOSO ADMINISTRATIVO). TSE PRESIDENT FRANCISCO SAENZ EXPLAINED TO EMBOFF THAT THIS SPECIAL COURT WAS DESIGNEDHHO REVIEW ADMINISTRATIVE DECISIONS OF THE EXECUTIVE BRANCHBCU AND THAT LEGAL OPINION IN COSTA RICA OVERWHELMINGLY REJECTED ITS APPLICATION TO THE WORK OF THE TSE (DESPITE TWO POSSIBLE PRECEDENTS--IN CASES VERY DIFFERENT FROM VESCO'S). SAENZ VENTURED THAT LIC PLA WAS MERELY ACTING THE ROLE OF THE DILIGENT HIGHLY-PAID LAWYER IN SEEKING EVERY CONCEIVABLE AVENUE, NO MATTER HOW UNLIKELY. GIVEN THE FIRM ATTITUDE OF THE CARAZO GOVERNMENT, THE WIEGHT OF PUBLIC OPINION HERE, AND THE PRESTIGE OF THE SUPREME ELECTORAL TRIBUNAL, THE EMBASSY DOUBTS THAT MR VESCO WOULD BE ALLOWED TO REMAIN IN COSTA RICA SHOULD HE DECIDE TO RETURN HERE AND FIND A WAY TO DO SO.
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